



From the Director



Equal Employment Opportunity is to assist Ft. Leonard Wood in achieving

and maintaining an inclusive culture. An inclusive culture is a workplace that embraces and promotes diversity; it entails successful integration of diverse people within the workplace regardless of their race, color, gender, religious belief, physical and mental ability, national origin, age, reprisal and other anti-discrimination laws. It is a commitment that is not only based on representation, but it is indicative of a climate that promotes, dignity and respect, equity and positive recognition and a celebration of differences. The responsibility to achieve

and maintain a workplace free of discriminatory actions is an individual responsibility. We are to lead and live by the Army Values, which in turn promotes a healthy work environment. Ft. Leonard Wood is striving to establish a model EEO program that incorporates into the design a structure for effective management, accountability and self-analysis which will ensure the program's success and compliance with the Management Directive 715, EEOC and applicable Federal laws.

Management Directive 715 was issued by the Equal Employment Opportunity Commission (EEOC) 1 October 2003. The MD-715 requires agencies to take the appropriate steps to ensure that policies, practices, and procedures are

adhered to for employees, former employees and applicants. There is an annual requirement to report the status of activities and plan to correct deficiencies. The MD-715 requires federal agencies to conduct an annual self assessment, identify the accomplishments and deficiencies, as well as the plan to correct them in order to meet the six essential elements of a model EEO program.

The essential elements for a model EEO program as described in EEO MD-715 can be found on page 4.

—Ms. Jennifer S. Thompson

SPECIAL POINTS OF INTEREST:

- ◆ [Check out our website!](#)
- ◆ [Review Command Policy letters for Ft. Leonard Wood.](#)
- ◆ [Asian/Pacific Islander Heritage Month](#)
- ◆ [Equal Employment Opportunity Commission \(EEOC\)](#)

The Complaint Desk— Complaints Part I



Any employee, former employee, applicant for employment, and certain contract

employees whose work is directed by the Army, not a contractor, is covered by AR 690-600, Equal Employment Opportunity Discrimination Complaints.

The first phase of the EEO complaint process is referred to as the "pre-complaint" process. This process is set in motion when an individual contacts an EEO official and clearly exhibits intent to file a complaint. Once

intent is established the EEO official notifies the aggrieved person of their rights and responsibilities, discusses alternative avenues of redress like mediation, and documents contact information for both the aggrieved and the responding management official. If the aggrieved wishes to pursue EEO counseling, a counselor is assigned to conduct a *limited inquiry* with the management official and any witnesses who have first hand knowledge of the issues brought forward by the aggrieved. This is also the point where the EEO Counselor will try to resolve the

issue by allowing the aggrieved and management to come to a solution before the complaint becomes formal. If a solution is not achieved during the inquiry, the EEO counselor completes the process and then issues a Notice of Right to File a Formal Complaint letter, with instructions, to the aggrieved. From the time the aggrieved receives the notice they have 15 calendar days to respond in writing to the EEO Director with their formal complaint.

— Ms. Sherie' L. Trone



INSIDE THIS ISSUE:

<i>Accommodations</i>	2
<i>Diversity News</i>	2
<i>It's the Law</i>	2
<i>Dear, EEO...</i>	3
<i>The Takeaway</i>	3
<i>About Us</i>	4



"If you feel that you have a disability that hinders your ability to do your job you must first make a request, either verbally or written, to your supervisor or the EEO Office Disabilities Manager."

Accommodations



Reasonable accommodation: what is it and how does it work?

On July 26, 1990 President George H.W. Bush signed the Americans With Disabilities Act (ADA) into law. The ADA is a wide-ranging civil rights law that prohibits, under certain circumstances, discrimination based on disability. Disability is defined by the ADA as "... a physical or mental impairment that substantially limits a major life activity." The determination of whether any particular condition is considered a disability is made on

a case by case basis. Here on Fort Leonard Wood, the determination is made by a panel that consists of representatives from the Directorate of Human Resources, Safety, Occupational Health, and the Office of the Staff Judge Advocate. The process is facilitated by the Equal Employment Opportunity Office.

How it works: If you feel that you have a disability that hinders your ability to do your job you must first make a request, either verbally or written, to your supervisor or the EEO office Disability Manager to request to correct the issue (medical documentation is required). Once the request is made, your employer,

working with the disability accommodations panel, has 30 days to approve or deny the request. It is important to understand that while employers are obligated to make accommodations to overcome barriers that hinder a person's ability to do their job, they are not required to make accommodations that are unreasonable. Reasonable accommodations generally cost less than \$500.00 to eliminate the barrier. If a claim is denied and the employee feels that the employer could have reasonably accommodated the request, the employee can file a discrimination complaint through the EEO office.

— Mr. W. Paolicelli



Diversity News

Why diversity is important. — Mr. W. Paolicelli

Educating managers and staff on how to work effectively in a diverse environment helps the Army prevent discrimination and promote inclusiveness. There is evidence that managing a diverse work force can contribute to increased staff retention and productivity. It can enhance the organization's responsiveness to an in-

creasingly diverse world of customers, improve relations with the surrounding community, increase the organization's ability to cope with change, and expand the creativity of the organization. In addition to contributing to these business goals, diversity can contribute to goals unique to the Army as an institution, such as increased accessibility and accountability to all members, both civilian and military.

Good management of a diverse work force can increase productivity and enhance the Army's ability to maneuver in an increasingly complex and diverse environment.

The EEO Office on Fort Leonard Wood can conduct diversity awareness training to directorates and sections at your request. Please call 596-0602 to inquire about our training offerings.



It's the Law

The Pregnancy Discrimination Act of 1978.

The Pregnancy Discrimination Act amended Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII, which covers employers with 15 or more employees, including state and local governments. Title VII

also applies to employment agencies and to labor organizations, as well as to the federal government. Women who are pregnant or affected by pregnancy-related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.

Key Notes:

An employer cannot refuse to hire a pregnant woman because of her pregnancy, because of a pregnancy-related condition, or

because of the prejudices of co-workers, clients, or customers.

An employer may not single out pregnancy-related conditions for special procedures to determine an employee's ability to work.

If an employee is temporarily unable to perform her job because of her pregnancy, the employer must treat her the same as any other temporarily disabled employee.

Pregnant employees must be permitted to work as long as they are able to perform their jobs.

For more information visit:
www.eeoc.gov/facts/fs-preg.html



Dear, EEO...

Have a question? Send us an e-mail or give us a call. Each month we'll answer a relevant question that could give others the answers you're looking for.

Dear, EEO

I work in a small office and I have a co-worker who says a lot of inappropriate things— mostly curse words and some sexist remarks. My question is: how do I get them to stop? It's making me uncomfortable.

- Concerned Co-worker

Concerned,

The question you ask is pretty common believe it or not. There are a lot of reasons some people think they can use profanity and slurs in the workplace, but the most common reason is simply ignorance. In a lot of cases like

yours, the person using the foul language usually believes that what they're saying doesn't really offend anyone. Nine times out of 10 they're wrong. Human nature tends to lean to the "get along" side in a working environment, and nobody in their right mind likes confrontation— which is why some people believe that nobody cares. **Silence IS agreement**, after all. The bottom line is that unprofessional language and remarks are exactly that— unprofessional. They have no place in the workplace, especially the federal service where the Civilian Creed and Values dictate professional behavior.

The best way to put an end to the offensive remarks is to simply let the person know that you find them offensive. You

don't need to be harsh when you let them know. In a calm voice just explain that what they're saying is offensive and unprofessional. 99% of the time that's all it takes. An even better strategy is to ask other co-workers if the remarks bother them also, and if so, confront the offender together in a serious, but non-threatening way. If the behavior continues, bring it up to your supervisor and they should be able to handle the problem.

If you are a supervisor and you allow your subordinates to use offensive language, you may be held accountable for promoting a hostile environment— especially when comments are discriminatory in nature. The best advice is to lead by example and be outspoken when people cross the line of professionalism.

Silence is agreement. Just because no one says anything about rude, unprofessional behavior doesn't mean that it's okay. All it takes is one person to make a complaint before outside agencies start asking questions— and people start getting in trouble.

When you hear something that's unprofessional, rude, or crude... speak up. The sooner you let someone know, the better.

The Takeaway

The Reasonable Person Standard: What is it? — Mr. W. Paolicelli

At some point in your career you probably received some kind of training that talked about the Reasonable Person Standard. In most cases the standard is applied to legal or ethical issues where a comparison is made between behavior that's considered undesirable and behavior that's acceptable. When asked, "What is considered offensive behavior in the work place?" you're told to apply the standard and to act within the boundaries of a "reasonable person." So what is a "reasonable person" and who, or what, defines the standard that we're supposed to live up to here on Ft. Leonard Wood?

The Reasonable Person Standard is a legal fiction of the common law. It revolves around how a typical member of society should behave in situations that might pose a threat to the public good, and that each person should behave as a reasonable person would under the same or similar circumstances. Make sense? Probably not.

The easiest way to explain the Reasonable Person Standard is to simply say: follow the law. You see, the

Reasonable Person Standard is supported by the laws that dictate how a society operates. A reasonable person doesn't commit murder, steal, or drive 100 MPH on I-44. Assuming that you're a good citizen, following the law is pretty easy, but why then do some people find themselves in hot water over behavior that's considered "acceptable" and "legal" OUTSIDE the gates of Ft. Leonard Wood when they act the same way INSIDE the gates? We see crude behavior, listen to dirty jokes, and watch people disrespect each other in the name of entertainment. I'm also sure you're aware that sex sells. In fact, it's pretty hard to find a beer commercial or clothing line that doesn't exploit the human body to some point. Music is another avenue and every genre has lyrics that are "risky" or offensive to some people, but it's absolutely legal to make, perform, and play that music. There are even politicians who have openly admitted to committing adultery and seem to progress in their political careers because, after all, adultery isn't illegal. How many adult bookstores do you see while driving on I-44? Pornography is legal, right? The point I'm trying to make is that a "reasonable person" on the outside of these gates

could be someone who watches porn, cheats on their spouse, and displays crude behavior on a daily basis... simply because all of those things are a legal. So why are people getting in trouble on Ft. Leonard Wood for doing the things that society has considered "reasonable?"

A reasonable person is someone who follows the law, and while all of us here follow the law, we have other, higher standards placed on us that a lot of people simply don't consider when they get dressed and drive on to post to go to work. We can start with the Army Values and Uniformed Code of Military Justice. If you know them, you'll notice that adultery and pornography are strictly forbidden. Then we have policies like Equal Employment Opportunity and Anti-harassment as well as several creeds that are used to dictate our behavior. This is the Army Civilian Creed:

"I am an Army civilian — a member of the Army team. I am dedicated to our Army, our Soldiers and civilians. I will always support the mission. I provide stability and continuity during war and peace. I support and defend the Constitution of the United States and consider it an honor to serve our nation and our Army. I live

Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage. I am an Army civilian."

The Reasonable Person Standard is supported by objective, not subjective, laws and guidelines. On Ft. Leonard Wood those guidelines are clearly in place. So the next time someone tells a blonde joke, talks about their adventure to a local "adult" establishment, or tells their co-worker that they're an incompetent idiot, ask yourself: "Would a reasonable person and a member of the Ft. Leonard Wood community act that way?"

Probably not.

The essential elements for a model EEO program:

- 1. Demonstrated commitment from agency leadership:** Published EEO policy statements signed by the Garrison and Senior Commanders that are trusted, respected and vigorously enforced.
- 2. Accountability:** Accurately evaluate senior leaders, managers and supervisors on efforts to ensure equality of opportunities to include hiring, promotions, awards, punishments, training opportunities and requests for accommodations.
- 3. Integration of EEO in the agencies strategic mission:** Ensure EEO is involved in critical workplace decisions that affect civilian employees to include, Reduction in Force, Manpower Development, Policy development...We must ensure we continue to attract, develop, and retain the most qualified workforce.
- 4. Proactive Prevention:** Ensure all senior leaders, managers, supervisors and employees attend EEO training to ensure understanding of what constitutes unlawful discrimination, and ensure attitudes and behaviors model a workplace free of harassing and discriminatory acts.
- 5 Efficiency:** Maintain a fair and impartial complaint resolution process using Alternate Dispute Resolution or another form of mediation. The goal is to address and resolve concerns in a swift, timely, fair and impartial manner.
- 6. Responsiveness:** Ensure the Agency is in full compliance with regulations, federal laws, directives and timelines.

"It takes an individual and collective effort of everyone to achieve this goal."— Ms. Jennifer Thompson, Director FLW EEO

EEO



— Ms. Wanda Williams
EEO Assistant

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